

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

JAMES EVERETT SHELTON

Plaintiff

:

Civil Action

:

Docket 18-cv-2072-TJS

v.

:

:

Paramount Holding Company, LLC

Defendant

:

Motion

On behalf of defendant Paramount Holding Company, LLC the undersigned moves the court for a twenty-day extension of time to file a pleading responsive to the Complaint filed and served in this matter; in support thereof, says as follows:

1. This matter was commenced on May 17, 2018 and a complaint was served sometime thereafter.
2. A representative of the defendant called me yesterday afternoon for the purpose of representation in this matter. Although I was out of the office yesterday, I promptly returned call; upon my return to the office this morning I reviewed the complaint.
3. After making numerous attempts to call my client this morning, finding their line “busy,” to discuss the details of this matter (including the date of service of the complaint as it is not noted on the docket) my office determined that our telephone service, provided by Comcast Business is subject to a nationwide Comcast telephone service outage. We cannot determine the service restoration time, as Comcast is not answering their service lines.

4. I filed a praecipe to enter my appearance (document 5) and at 12:44 pm on May 6, 2018, I sent an email to the plaintiff, with my appearance, requesting additional time to file a response to the complaint. See Exhibit 1.
5. The *pro se* plaintiff responded a few minutes later saying:

No, your clients have been aware of this for several weeks now, and wanted to be difficult when I reached out to them prior to filing. I have spent significant money, time, and effort to serve your client. You still have plenty of time to file a responsive pleading. I'm sure you can make it a priority.

Thank you kindly,

James Shelton

See Exhibit 2

6. A short extension of time to allow defendant's counsel to confer with his clients in Idaho will allow the preparation of complete and accurate pleadings for the defendant and will not prejudice the plaintiff.

WHEREFORE, the defendant respectfully requests that the court grant a twenty-day extension of time to the defendant to file a pleading responsive to the complaint.

Dated: 6/6/18

Respectfully submitted,
/s/ RICHARD N. LIPOW
By: _____
RICHARD N. LIPOW
ATTORNEY FOR THE
DEFENDANT
629 SWEDESFORD ROAD
SWEDESFORD CORPORATE
CENTER
MALVERN PA 19355
610-251-2500
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RICHARD@LIPOWLAW.COM

Certification of service

The undersigned certifies that true and correct copies of the foregoing was served by first class mail, on the following:

JAMES EVERETT SHELTON
316 COVER BRIDGE ROAD
KING OF PRUSSIA PA 19406

Respectfully submitted,

/s/ RICHARD N. LIPOW

By: _____
RICHARD N. LIPOW
ATTORNEY FOR THE
DEFENDANT
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